IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL (L) NO.873 OF 2004

The Commissioner of Income Tax .. Appellant.
V/s.
Birla International P. Ltd. .. Respondent.

Mr.Ashok Kotangale i/by Pankaj Kapoor for the appellant.
Ms.Usha Dalal i/by P.R. Toprani for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 16TH JULY, 2007.

P.C. :

1. The question as formulated in this appeal by itself would show that the issue is covered by the judgment of this Court in the case of CIT V/s. J.K. Investor (Bom) Ltd. reported in 248 ITR 723. The learned counsel further points out that the Delhi High Court has taken a different view. The judgment of this Court would be binding on the coordinate benches. Nothing has been brought to our notice to take any other view than the view taken by the Division Bench of this Court.

2. In the light of that, we find no reason to interfere. Consequently, the appeal is dismissed with no order as to costs.

(F.I. REBELLO, J.)

(J.P. DEVADHAR, J.)